



**REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AUDIT EXAMINATION OF THE
OWSLEY COUNTY
SHERIFF'S SETTLEMENT – 1998 TAXES,
SHERIFF'S SETTLEMENT – 1997 UNMINED COAL TAXES,
AND
SHERIFF'S SETTLEMENT – 1998 UNMINED COAL TAXES**

June 14, 1999

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Edward B. Hatchett, Jr.
Auditor of Public Accounts

To the People of Kentucky

Honorable Paul E. Patton, Governor

John P. McCarty, Secretary

Finance and Administration Cabinet

Mike Haydon, Secretary, Revenue Cabinet

Honorable Jimmie W. Herald, Owsley County Judge/Executive

Honorable Paul Short, County Sheriff

Members of the Owsley County Fiscal Court

The enclosed report prepared by Donna Bouvier, Certified Public Accountant, presents the Owsley County Sheriff's Settlement – 1998 Taxes and the 1997 and 1998 Unmined Coal Taxes.

We engaged Donna Bouvier, CPA, to perform the financial audit of this statement. We worked closely with the firm during our report review process; the resulting audit comports with our reporting format. As part of the audit, Donna Bouvier, CPA, evaluated the Owsley County Sheriff's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Enclosure

OWSLEY COUNTY
SHERIFF'S TAX SETTLEMENT - 1998 TAXES
AND
1997 AND 1998 UNMINED COAL TAXES

June 14, 1999

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To the People of Kentucky
Honorable Paul E. Patton, Governor
John P. McCarty, Secretary
Finance and Administration Cabinet
Sarah Jane Schaaf, Secretary, Revenue Cabinet
Honorable Jimmy Herald, County Judge/Executive
Honorable Paul Short, Sheriff
Members of the Owsley County Fiscal Court

Independent Auditor's Report

I have audited the Owsley County Sheriff's Tax Settlement - 1998 Taxes and the 1997 and 1998 Unmined Coal Taxes as of June 14, 1999. These tax settlements are the responsibility of the Owsley County Sheriff. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with generally accepted government auditing standards, Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. These standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

The Sheriff prepares his financial statement on a prescribed basis of accounting that demonstrates compliance with the cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than generally accepted accounting principles. This cash basis system does not require the maintenance of a general fixed asset group or general long-term debt group of accounts. Accordingly, the accompanying financial statements are not intended to present financial position and results of operations in conformity with generally accepted accounting principles.

In my opinion, the accompanying financial statements referred to above present fairly in all material respects, the Owsley County Sheriff's taxes charged, credited, and paid as of June 14, 1999, in conformity with the basis of accounting described in the preceding paragraph.

To the People of Kentucky
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Sarah Jane Schaaf, Secretary, Revenue Cabinet
Honorable Jimmy Herald, County Judge/Executive
Honorable Paul Short, Sheriff
Members of the Owsley County Fiscal Court
(Continued)

In accordance with Government Auditing Standards, I have also issued a report dated November 9, 1999, on my consideration of the Owsley County Sheriff's compliance with certain laws and regulations and internal control over financial reporting.

Donna Bouvier
Certified Public Accountant

November 9, 1999

OWSLEY COUNTY
SHERIFF'S TAX SETTLEMENT - 1998 TAXES

June 14, 1999

	County	Special	School	State
	Taxes	Taxing	Taxes	Taxes
	Districts			
<u>Charges</u>				
Transfer to Sheriff	\$ 33,791	\$ 46,142	\$ 88,871	\$ 32,195
Franchise Corporation	22,956	27,279	72,108	-
Penalties	1,273	1,805	3,452	985
Gross Chargeable to Sheriff	\$ 58,020	\$ 75,226	\$ 164,431	\$ 33,180
<u>Credits</u>				
Discounts	\$ 5	\$ 12	\$ 12	\$ 4
Exonerations	1,446	1,885	3,875	1,251
Delinquents:				
Real Estate	7,797	10,411	20,448	6,600
Tangible Personal Property	1,713	1,768	4,534	4,413
Intangible Personal Property	-	-	-	420
Total Credits	\$ 10,961	\$ 14,076	\$ 28,869	\$ 12,688
Net Taxes Yield	\$ 47,059	\$ 61,150	\$ 135,562	\$ 20,492
Less: Commissions*	2,000	2,599	5,422	871
Net Taxes Due	\$ 45,059	\$ 58,551	\$ 130,140	\$ 19,621
Taxes Paid	45,061	58,567	130,150	19,624
Due Districts or Refunds Due Sheriff				
as of Completion of Fieldwork	\$ (2)	\$ (16)	\$ (10)	\$ (3)
		**		

* and ** See Page 4

OWSLEY COUNTY
SHERIFF'S TAX SETTLEMENT - 1998 TAXES
June 14, 1999
(Continued)

* Commissions:

4.25% on \$128,701

4.00% on \$135,562

** Special Taxing Districts:

Library District \$ (7)

Health District (2)

Extension District (6)

Soil District (1)

Refunds Due Sheriff \$(16)

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The accompanying notes are an integral part of the financial statement.

OWSLEY COUNTY
SHERIFF'S TAX SETTLEMENT
1997 AND 1998 UNMINED COAL TAXES

June 14, 1999

	County	Special	School	State	
	<u>Taxes</u>	<u>Taxing</u>	<u>Taxes</u>	<u>Taxes</u>	
		<u>Districts</u>			
<u>Charges</u>					
Sheriff's Official Receipt					
for Unmined Coal	\$ 41	\$ 52	\$ 98	\$ 36	
Gross Chargeable to Sheriff	\$ 41	\$ 52	\$ 98	\$ 36	
<u>Credits</u>					
Discount	\$ 1	\$ 1	\$ 1	\$ 1	
Delinquents	17	22	43	15	
Total Credits	\$ 18	\$ 23	\$ 44	\$ 16	
Net Taxes Yield	\$ 23	\$ 29	\$ 54	\$ 20	
Less: Commissions*	1	1	2	1	
Net Taxes Due	\$ 22	\$ 28	\$ 52	\$ 19	
Taxes Paid	22	28	52	19	
Due Districts as of Completion					
of Fieldwork	\$ -	\$ -	\$ -	\$ -	

* Commissions:
4.25% on \$72
4.00% on \$54

The accompanying notes are an integral part of the financial statements.

NOTES TO FINANCIAL STATEMENT

OWSLEY COUNTY
NOTES TO FINANCIAL STATEMENT

June 14, 1999

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is utilized to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, Kentucky Revised Statute 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

OWSLEY COUNTY
NOTES TO FINANCIAL STATEMENT
June 14, 1999
(Continued)

NOTE 2: DEPOSITS

The Sheriff maintains deposits with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to law, the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by a collateral security agreement between the depositor and the depository institution. This collateral security agreement should be (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. The Sheriff met the requirements stated above, and as of March 25, 1999, and June 14, 1999, deposits were fully insured or collateralized at a 100% level with collateral held by the county official's agent in the county official's name.

NOTE 3: PROPERTY TAXES

The real and personal property tax assessments are levied as of January 1, 1998. Property taxes are billed to finance governmental services for the year ended June 30, 1999. Liens are effective when the tax bills become delinquent. The collection period for these assessments was January 4, 1999, through June 8, 1999.

1997 and 1998 Unmined Coal Taxes

The tangible property tax assessments are levied as of January 1, 1997 and January 1, 1998. Property taxes are billed to finance governmental services. Liens are effective when the tax bills become delinquent. The collection period for these assessments was November 1, 1997, through June 30, 1999.

NOTE 4: INTEREST INCOME

The Owsley County Sheriff earned \$353 as interest income on 1998 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder will be used to operate the Sheriff's office.

REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Honorable Jimmy Herald, County Judge/Executive
Honorable Paul Short, Sheriff
Members of the Owsley County Fiscal Court

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

I have audited the Owsley County Sheriff's Tax Settlement -1998 Taxes and 1997 and 1998 Unmined Coal Taxes as of June 14, 1999, and have issued my report thereon dated November 9, 1999. I conducted my audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Owsley County Sheriff's Tax Settlement-1998 Taxes and 1997 and 1998 Unmined Coal Taxes as of June 14, 1999, are free of material misstatement, I performed tests of their compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of my audit and, accordingly, I do not express such an opinion. The results of my tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing my audit, I considered the Owsley County Sheriff's internal control over financial reporting in order to determine my auditing procedures for the purpose of expressing my opinion on the financial statement and not to provide assurance on the internal control over financial reporting. My consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of

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Report On Compliance And On Internal Control
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(Continued)

performing their assigned functions. I noted no matters involving the internal control over financial reporting and its operation that I consider to be material weaknesses.

This report is intended for the information of management. However, this report, upon release by the Auditor of Public Accounts, is a matter of public record and its distribution is not limited.

Donna Bouvier
Certified Public Accountant

November 9, 1999